

REMARKS

This paper is being provided in response to the Final Office Action mailed November 30, 2004, for the above-referenced application. In this response, Applicants have amended Claims 1, 22, and 41 to clarify that which Applicants consider to be the invention. Applicants respectfully submit that the changes to the specification do not add new matter and that the amendments to the claims are fully supported by the originally-filed specification.

The rejection of Claims 1-4, 22-25, 41-44 and 46-52 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,094,731 to Waldin et al. (hereinafter "Waldin") and the rejection of Claims 5-7, 26-28, and 45 under 35 U.S.C. 103(a) as being unpatentable over Waldin are both hereby traversed and reconsideration is respectfully requested in view of the amendments to the claims contained herein.

Claim 1, as amended herein, recites a method of scanning a storage device for viruses, comprising: determining physical portions of the storage device that have been modified since a previous virus scan using information about the physical portions without using information about a file structure, a file system, or a file type; and scanning at least parts of the physical portions for viruses, wherein scanning is performed without using information about a file structure, a file system, or a file type. Claims 2-7 depend from Claim 1.

Claim 22, as amended herein, recites a computer program product for scanning a storage device for viruses, comprising: means for determining physical portions of the storage device

that have been modified since a previous virus scan using information about the physical portions without using information about a file structure, a file system, or a file type; and means for scanning at least parts of the physical portions for viruses, wherein the scanning is performed without using information about a file structure, a file system, or a file type. Claims 23-28 depend from Claim 22.

Claim 41, as amended herein, recites an antivirus unit, comprising: means for coupling to at least one storage device; means for determining physical portions of the storage device that have been modified since a previous virus scan using information about the physical portions without using information about a file structure, a file system, or a file type; and means for scanning at least parts of the physical portions for viruses, wherein scanning is performed without using information about a file structure, a file system, or a file type. Claims 42-52 depend from Claim 41.

Waldin discloses a system, method and computer readable medium for examining a file associated with an originating computer to determine whether a virus is present within the file. (See Abstract). Waldin discloses scanning a file and placing into a critical sectors file the identification number of each sector that is scanned. As each sector is operated upon, a hash value is calculated for that sector and inserted into the critical sectors file along with the size of the file scanned. (Col. 4, Lines 52-64; Figures 1 and 2). Waldin discloses determining hash values for only those sectors of a file actually retrieved by module 5 of Figure 1. Module 3 of Waldin's Figure 1 always scans the same set of sectors of a file unless the file changes in length or the contents of those sectors changes in some way. The antivirus accelerator module 5

automatically hashes all sectors scanned by module 3 in the same way regardless of contents of the sectors. No new parser or hasher coding needs to be performed and incorporated into module 5 to support new file formats. (Col. 7, Line 35-Col. 8, Line 2).

Applicants' Claim 1, as amended herein, is neither disclosed nor suggested by Waldin in that Waldin neither discloses nor suggests ***a method of scanning a storage device for viruses, comprising: determining physical portions of the storage device that have been modified ... without using information about a file structure, a file system, or a file type; and scanning ... wherein scanning is performed without using information about a file structure, a file system, or a file type***, as set forth in amended Claim 1. Waldin operates on files and uses information about files. Waldin discloses scanning sectors of a file, for example, in element 1 of Figure 1, and step 22 of Figures 2 and 4. Waldin also uses the size of the file (see step 57, Figure 5) in connection with determining whether a file has been modified causing rescanning of the entire file. Thus, Waldin operates on files and needs information about the file, such as file structure and file system information, in order to perform his processing. For example, in order for Waldin to scan the file, Waldin needs to know the storage location(s) (e.g., starting and ending addresses) associated with the file. Waldin also uses the size of a file. The file size and file location may be obtained, for example, using file system information.

Waldin's system operates on files and needs information about the files in order to determine what is scanned. Without information about the file location, for example, Waldin could not even determine what data is to be scanned. This is in contrast to Applicants' invention, as set forth in amended Claim 1, which recites that determining which portions of a storage

device have been modified, and scanning are performed without using information about a file structure, a file system or a file type.

In view of the foregoing, Applicants respectfully submit that Waldin does not teach, disclose, or suggest Applicants' amended Claim 1 since Waldin does not teach, disclose, or suggest *a method of scanning a storage device for viruses, comprising: determining physical portions of the storage device that have been modified ... without using information about a file structure, a file system, or a file type; and scanning ... wherein scanning is performed without using information about a file structure, a file system, or a file type*, as set forth in amended Claim 1.

For reasons similar to those set forth regarding Claim 1, Applicants' independent Claim 22 is also neither disclosed nor suggested by Waldin in that Waldin neither discloses nor suggests *a computer program product for scanning a storage device for viruses, comprising: means for determining physical portions of the storage device that have been modified since a previous virus scan using information about the physical portions without using information about a file structure, a file system, or a file type; and means for scanning at least parts of the physical portions for viruses, wherein the scanning is performed without using information about a file structure, a file system, or a file type*, as set forth in Claim 22.

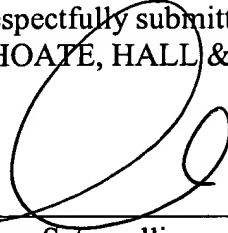
For reasons similar to those set forth regarding Claim 1, Applicants' independent Claim 41 is also neither disclosed nor suggested by Waldin in that Waldin neither discloses nor suggests *an antivirus unit, comprising: means for coupling to at least one storage device;*

means for determining physical portions of the storage device that have been modified since a previous virus scan using information about the physical portions without using information about a file structure, a file system, or a file type; and means for scanning at least parts of the physical portions for viruses, wherein scanning is performed without using information about a file structure, a file system, or a file type, as set forth in Claim 41.

Based on the reasons set forth above, Applicants respectfully submit that the features of the independent claims are neither shown, taught, nor suggested by Waldin. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Based on the above, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

Respectfully submitted,
CHOATE, HALL & STEWART



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Anne Saturnelli
Registration No. 41,290

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000